

January 27, 1975

SENATOR KIME: Senator Maresh, I don't see any provision here -- suppose that a person asked for this deduction and after maybe a year he decided to withdraw. Is there any provision here that would allow him to do that? Can he do that voluntarily?

SENATOR MARESH: The way I understand the bill you could either ask for it, for this deduction, or have this withdrawn also. I'm sure that the provision is there.

SENATOR KIME: Thank you.

PRESIDENT: Chair recognizes Senator Chambers.

SENATOR CHAMBERS: Mr. President, members of the Legislature. This is Senator Moylan's bill, right?

PRESIDENT: That's the way I understand it Senator.

SENATOR CHAMBERS: Senator Moylan would you yield to a question? It is not rhetorical by a long shot. Senator Moylan, there was a problem a few months ago in the Roads Department where employees were almost required or coerced to give donations to a certain charitable operation and the statement was made that consideration for promotion would be based on how they contributed, or failed to contribute to these types of operations. I feel this, in a sense, ties into your bill. What do you feel about a supervisor compelling an employee to donate to a charitable operation and then making it appear as though it were voluntary? Then I'll tie it all in together. If this type of tactic is utilized, then under this bill would it be possible to have a second club in the employers hand where an employee who has already been coerced into agreeing to a donation would have it taken out against his will and there would not be any situation where the employee could determine what he or she would give to charity? You want me to rephrase the question more simply?

PRESIDENT: Senator Chambers, had the Chair known of the form of the question I would have ruled it out of order. It's highly argumentative and rhetorical and is not designed to illicit information from Senator Moylan.

SENATOR CHAMBERS: Then I'll rephrase the question because it is designed to illicit information.

PRESIDENT: State it in that fashion then Senator.

SENATOR CHAMBERS: Senator Moylan, you are aware of the situation that I described. You understand the situation that I was describing. Under your bill, would a charitable donation like this be withheld by the employer?

SENATOR MOYLAN: At the request of the employee, yes.

SENATOR CHAMBERS: Thank you Senator Moylan. Now I'll make my statement. There are situations, and I can argue in my presentation on this bill whether anybody likes the content of the argument or not. There was a situation brought about which is factual of employees in the Roads Department being coerced into making donations to a certain charitable organization. Now, if a bill places authority into the hands of the employing agency to withhold money of an employee, which the employee may have not wanted to give in the first place, I see somewhat of a problem. If we could be sure that a bill like this is going to be